

KENNETH SCHMITT
Town Supervisor

TOWN OF CARMEL
TOWN HALL

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Town Clerk

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KATHLEEN KRAUS
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Town Councilman
ROBERT F. SCHANIL, JR.
Town Councilman

MICHAEL SIMONE
Superintendent of Highways
Tel. (845) 628-7474

TOWN BOARD VOTING MEETING/WORK SESSION
Wednesday, September 23, 2020 7:00pm

PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE

6:30pm Executive Session:

1. Gregory Folchetti, Esq., Town Legal Counsel – Litigation Update

Public Hearing: On a proposed local Law amending Chapter 147 of the Town Code of the Town of Carmel entitled, "Vehicles and Traffic"

Res#1A- Consider Resolution Making SEQRA Determination in Regard to the Proposed Local Law# of the Year 2020 Enacting Chapter 147 of the Town Code of the Town of Carmel, entitled "Vehicles and Traffic"

1B- Consider Motion to Enact Law

Town Board Voting Meeting:

- Accept Town Board Minutes August 26, September 2, 2020
1. Res: Authorizing Budget Modifications Period- May/August 2020 #2020/02
 2. Res: Adopting the 2020 Service Award Annual Reports for Carmel Ambulance District #1, Carmel Fire Protection Districts 1 and 2
 3. Res: Declaring Certain Equipment Obsolete and Authorizing Disposal (Highway Department)
 4. Res: Acknowledging Performance of Emergency Repairs Carmel Water District #2
 5. Res: Authorizing Improvements at Sycamore Park (Tree Bench) Eagle Scout Project
 6. Res: Scheduling a Public Hearing in Regards to a Proposed Local Law Chapter 147 of the Town Code of the Town of Carmel, entitled "Vehicles and Traffic" Amending Certain Schedules (Oct. 7, 2020)
 7. Res: Announcing Compliance with Governor Executive Order No. 203 Police Reform and Reinvention Collaborative
 8. Res: Accepting Proposal for Professional Services – Lake Mahopac Dam Engineering Assessment
- **Public Comment (Three (3) Minutes on Agenda Items Only)**
 - **Adjournment**

Town Board Work Session:

1. Richard Franzetti, PE, Town Engineer – Review of Semi-Annual MS4 Report and Consider Request to Authorize Signing of MS4 Report
2. Richard Franzetti, PE, Town Engineer – Consider Request to Advertise for Bids for the CWD2 Distribution Systems Upgrade
3. Richard Franzetti, PE, Town Engineer – Consider Request to Lift Mandatory Water Restrictions CWD# 7 & 12
4. Richard Franzetti, PE, Town Engineer – Consider Request to Accept Proposal for Concrete Repairs at Carmel Town Hall
5. James Gilchrist, Director of Recreation & Parks – Recreation Department Program Update
6. C.O. Lt. John Dearman, Carmel Police Dept. – Consider Request to Declare Old Equipment Obsolete and Authorize Disposal
7. C.O., Lt. John Dearman, Carmel Police Dept. – Consider Request to Amend User Fee Schedule for Fingerprint Background Check Services
8. Consider Deletions to the Active List of the Mahopac Volunteer Fire Department

- **Public Comment (Three (3) Minutes on Agenda Items Only)**
- **Town Board Member Comments**

Open Forum:

- **Public Comments on New Town Related Business (Three (3) Minutes Maximum for Town Residents, Property Owners & Business Owners Only)**
- **Town Board Member Comments**
- **Adjournment**

Executive Session:

1. Consider Reappointment to Board of Assessment Review
2. Lt. John Dearman – Contractual

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, September 23, 2020 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law amending Chapter 147 of the Code of the Town of Carmel, entitled "Vehicles and Traffic" by amending certain Schedules therein as follows:

**PROPOSED LOCAL LAW # _____ OF THE YEAR 2020
A LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE
OF THE TOWN OF CARMEL, ENTITLED "VEHICLES AND TRAFFIC"**

SECTION 1.

This Local Law shall be known as 2020 Amendments to Chapter 147 entitled "Vehicles and Traffic".

SECTION 2.

Chapter 147 of the Town Code of the Town of Carmel, §147-54, Schedule XIII: PARKING PROHIBITED CERTAIN HOURS is hereby amended to add the following to the existing provision of said section:

In accordance with the provision of §147-22, no person shall park a vehicle between the hours listed upon any of the following described streets or parts of streets:

Name of Street	Side	Hours/Days	Location
Mud Pond Road	West Side	All Times	Entire Length

SECTION 3.

Chapter 147 of the Town Code of the Town of Carmel, §147-39, Schedule II: ONE-WAY STREET(S) is hereby amended to add the following to the existing provision of said section:

Name of Street	Direction of Travel Limits	
Rockledge Place	South/Southeast	One-way travel between Sycamore Terrace and West Lake Boulevard

SECTION 4. HOME RULE

Nothing in this Local Law is intended, or shall be construed to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 5. SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment

shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

At said Public Hearing, all interested persons shall be heard on the subject thereof. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

By Order of the Town Board
of the Town of Carmel
Ann Spofford, Town Clerk

RES.#1A

**RESOLUTION MAKING SEQR DETERMINATION IN REGARD
TO THE PROPOSED LOCAL LAW # OF THE YEAR 2020
ENACTING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL**

RESOLVED that the Town Board of the Town of Carmel hereby determines that, the Local Law # Amending Chapter 147 of the Town Code of the Town of Carmel, Entitled, “Vehicle and Traffic” is a Type II action under SEQR, NYCRR Section 617.5(c) (27) and no further review is necessary.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	_____	_____
Michael Barile	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Kenneth Schmitt	_____	_____

RESOLUTION #1

RESOLUTION AUTHORIZING BUDGET MODIFICATIONS PERIOD - MAY-AUGUST 2020 #2020/02

WHEREAS the Town Comptroller has reviewed the proposed Budget Modifications for the period ending August 31, 2020 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule #2020/02;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the Budget Modifications/Revisions for the period ending August 31, 2020, as shown itemized on the schedule #2020/02 attached hereto, incorporated herein and made a part hereof.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

**TOWN OF CARMEL
BUDGET REVISIONS MAY - AUGUST 2020 #2020/02**

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND				
1	100.1110.0019	JUSTICE COURT OTHER COMP	1,241.00	
	100.1315.0019	COMPTROLLER OTHER COMP	2,560.00	
	100.1440.0019	ENGINEERING DEPT OTHER COMP	2,400.00	
	100.7020.0019	RECREATION DEPT OTHER COMP	2,101.00	
	100.1989.9877	FUND BALANCE FOR COMPENSATED ABSENCES	*	8,302.00
		- PROVIDE FOR PAYOUT OF ACCRUED VACATION TIME		
2	100.3120.0019	POLICE STAFF OTHER COMPENSATION	339,129.00	
	100.3120.0019	POLICE STAFF OTHER COMPENSATION	150,000.00	
	100.3120.0011	POLICE STAFF UNIFORM PAY		150,000.00
	100.1989.9877	FUND BALANCE FOR COMPENSATED ABSENCES	*	339,129.00
		- PROVIDE AND TRANSFER FOR RETIREMENT INCENTIVE AND PAYOUT OF ACCRUED TIME		
3	100.1930.0040	CERTIORARI SETTLEMENTS	5,000.00	
	100.1989.9876	RESERVE FOR CERTIORARI SETTLEMENTS	*	5,000.00
		- PROVIDE FOR CERTIORARI SETTLEMENTS		
4	100.1315.0012	COMPTROLLER STAFF OVERTIME	500.00	
	100.1440.0040	ENGINEERING OFFICE EXPENSES	500.00	
	100.1640.0012	CENTRAL GARAGE OVERTIME	500.00	
	100.1315.0047	COMPTROLLER CONFERENCES		500.00
	100.1440.0086	RETIREEES HEALTH INSURANCE		500.00
	100.1640.0020	CENTRAL GARAGE EQUIPMENT		500.00
		- TRANSFER FOR MISCELLANEOUS EXPENSES		
5	100.5132.0040	HIGHWAY GARAGE CONTRACTUAL EXPENSES	17,000.00	
	100.5010.0080	HIGHWAY ADMIN EMPLOYEE BENEFITS		17,000.00
		- TRANSFER FOR HIGHWAY GARAGE EXPENSES		
6	100.3121.0012	LAKE PATROL OVERTIME	12,500.00	
	100.3120.0012	POLICE STAFF OVERTIME		10,000.00
	100.3121.0082	LAKE PATROL FICA/MED EXPENSE		2,500.00
		- TRANSFER FOR LAKE PATROL OVERTIME EXPENSE		
7	100.7114.0040	RED MILLS CONTRACTUAL EXPENSES	1,000.00	
	100.7117.0020	CAMARDA PARK EQUIPMENT	3,600.00	
	100.7180.0013	BEACH TEMPORARY STAFF	2,200.00	
	100.7180.0080	BEACH EMPLOYEE BENEFITS	1,300.00	
	100.7112.0045	MCDONOUGH FIELDS PARK IMPROVEMENT		1,000.00
	100.7117.0040	CAMARDA PARK CONTRACTUAL EXPENSES		3,600.00
	100.7180.0040	BEACH CONTRACTUAL EXPENSES		3,500.00
		- TRANSFER FOR MISCELLANEOUS RECREATION EXPENSES		
HIGHWAY FUND				
8	500.5112.0012	PROJECT OVERTIME	20,000.00	
	500.5112.0020	PROJECT EXPENDITURES	29,000.00	
	500.5112.0082	PROJECT FICA/MED COST	325.00	
	500.5010.3502	CHIPS STATE AID - CAPITAL	*	49,325.00
		- PROVIDE FOR HIGHWAY PROJECT COSTS FROM CHIPS FUNDING		
9	500.5140.0012	WEEDS AND BRUSH OVERTIME	25,000.00	
	500.5142.0012	SNOW REMOVAL OVERTIME		25,000.00
		- TRANSFER FOR WEEDS AND BRUSH OVERTIME		

TOWN OF CARMEL
BUDGET REVISIONS MAY - AUGUST 2020 #2020/02

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
LAKE MAHOPAC PARK DISTRICT				
10	402.7110.0040	CONTRACTUAL EXPENSES	14,000.00	
	402.7110.0049	SERVICES FROM OTHER GOVERNMENTS		3,000.00
	402.7110.0099	REPAIR RESERVE FUND		11,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES		
LAKE SECOR PARK DISTRICT				
11	404.7140.0013	TEMPORARY LABOR	5,000.00	
	404.7140.0040	CONTRACTUAL EXPENSES	2,000.00	
	404.7140.0020	EQUIPMENT		5,000.00
	404.7140.0099	REPAIR RESERVE FUND		2,000.00
		- TRANSFER FOR TEMPORARY LABOR AND CONTRACTUAL EXPENSES		
CARMEL WATER DISTRICT #2				
12	602.8310.0047	EMERGENCY REPAIRS	5,955.00	
	602.8310.2681	INSURANCE RECOVERY ASSET	*	5,955.00
		- PROVIDE FOR EMERGENCY REPAIRS FROM REVENUE THROUGH INSURANCE CLAIMS		
13	602.8310.0020	EQUIPMENT	71,800.00	
	602.8310.0090	CONTINGENCY		33,600.00
	602.8310.0099	REPAIR RESERVE FUND		38,200.00
		- TRANSFER FOR EMERGENCY TURBINE PUMP REPLACEMENT		
14	602.8310.0047	EMERGENCY REPAIRS	10,000.00	
	602.8310.0040	CONTRACTUAL EXPENSES		10,000.00
		- TRANSFER FOR EMERGENCY REPAIRS		
CARMEL WATER DISTRICT #3				
15	603.8310.0041	CHEMICAL EXPENSES	2,000.00	
	603.8310.0040	CONTRACTUAL EXPENSES		2,000.00
		- TRANSFER FOR CHEMICAL EXPENSES		
CARMEL WATER DISTRICT #5				
16	605.8310.0020	EQUIPMENT	3,400.00	
	605.8310.0047	EMERGENCY REPAIRS	6,976.00	
	605.8310.2681	INSURANCE RECOVERY ASSET	*	10,376.00
		- PROVIDE FOR PUMP REPLACEMENT FROM ANTICIPATED INSURANCE CLAIM		
17	605.8310.0047	EMERGENCY REPAIRS	2,500.00	
	605.8310.0099	REPAIR RESERVE FUND		2,500.00
		- TRANSFER FOR EMERGENCY REPAIRS		
CARMEL WATER DISTRICT #6				
18	606.8310.0020	EQUIPMENT	3,400.00	
	606.8310.0047	EMERGENCY REPAIRS	5,913.00	
	606.8310.2681	INSURANCE RECOVERY ASSET	*	9,313.00
		- PROVIDE FOR PUMP REPLACEMENT FROM ANTICIPATED INSURANCE CLAIM		
19	606.8310.0047	EMERGENCY REPAIRS	2,000.00	
	606.8310.0099	REPAIR RESERVE FUND		2,000.00
		- TRANSFER FOR EMERGENCY REPAIRS		

TOWN OF CARMEL
BUDGET REVISIONS MAY - AUGUST 2020 #2020/02

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL WATER DISTRICT #7				
20	607.8310.0020	EQUIPMENT	10,828.00	
	607.8310.0047	EMERGENCY REPAIRS	21,121.00	
	607.8310.2681	INSURANCE RECOVERY ASSET	31,949.00	
		- PROVIDE FOR EQUIPMENT AND EMERGENCY REPAIRS FROM REVENUE THROUGH INSURANCE CLAIMS		
21	607.8310.0046	PURCHASE OF WATER	4,500.00	
	607.8310.0099	REPAIR RESERVE FUND		4,500.00
		- TRANSFER FOR THE PURCHASE OF WATER		
CARMEL WATER DISTRICT #8				
22	608.8310.0047	EMERGENCY REPAIRS	4,128.00	
	608.8310.2681	INSURANCE RECOVERY ASSET	4,128.00	
		- PROVIDE FOR EMERGENCY REPAIRS FROM ANTICIPATED INSURANCE CLAIM		
CARMEL WATER DISTRICT #9				
23	609.8310.0040	CONTRACTUAL EXPENSES	3,000.00	
	609.8310.0047	EMERGENCY REPAIRS	4,400.00	
	609.8310.0099	REPAIR RESERVE FUND		7,400.00
		- TRANSFER FOR CONTRACTUAL EXPENSES AND EMERGENCY REPAIRS		
CARMEL WATER DISTRICT #10				
24	610.8310.0047	EMERGENCY REPAIRS	11,000.00	
	610.8310.0090	CONTINGENCY		5,100.00
	610.8310.0099	REPAIR RESERVE FUND		5,900.00
		- TRANSFER FOR EMERGENCY REPAIRS		
CARMEL WATER DISTRICT #12				
25	612.8310.0041	CHEMICALS	2,000.00	
	612.8310.0046	PURCHASE OF WATER	6,350.00	
	612.8310.0047	EMERGENCY REPAIRS	12,000.00	
	612.8310.0020	EQUIPMENT		2,000.00
	612.8310.0040	CONTRACTUAL EXPENSES		5,500.00
	612.8310.0048	OTHER OPERATING EXPENSES		3,000.00
	612.8310.0049	SERVICES FROM OTHER GOVERNMENTS		1,500.00
	612.8310.0099	REPAIR RESERVE FUND		8,350.00
		- TRANSFER FOR MISCELLANEOUS EXPENSES		
CARMEL WATER DISTRICT #13				
26	613.8310.0047	EMERGENCY REPAIRS	2,000.00	
	613.8310.0040	CONTRACTUAL EXPENSES		2,000.00
		- TRANSFER FOR EMERGENCY REPAIRS		
CARMEL WATER DISTRICT #14				
27	614.8310.0040	CONTRACTUAL EXPENSES	3,000.00	
	614.8310.0099	REPAIR RESERVE FUND		3,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES		
CARMEL SEWER DISTRICT #1				
28	701.8130.0040	CONTRACTUAL EXPENSES	29,400.00	
	701.8130.0099	REPAIR RESERVE FUND		14,400.00
	701.8130.9909	APPROPRIATED FUND BALANCE	15,000.00	
		- PROVIDE AND TRANSFER FOR CONTRACTUAL EXPENSES		

TOWN OF CARMEL
BUDGET REVISIONS MAY - AUGUST 2020 #2020/02

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL SEWER DISTRICT #2				
29	702.8130.0040	CONTRACTUAL REPAIRS	95,000.00	
	702.8130.9909	APPROPRIATED FUND BALANCE	*	95,000.00
		- PROVIDE FOR EMERGENCY PARTS FOR MUFFIN MONSTER AND SEWER JETTING COSTS YEAR 1		
30	702.8130.0054	CAPITAL EXPENDITURES	598,000.00	
	702.8130.9909	APPROPRIATED FUND BALANCE	*	598,000.00
		- PROVIDE FOR SAND FILTER ROOF REPLACEMENT		
31	702.8130.0040	CONTRACTUAL EXPENSES	70,000.00	
	702.8130.0046	PURCHASE OF WATER	5,000.00	
	702.8130.0047	SLUDGE HAULING		40,000.00
	702.8130.0090	CONTINGENCY		15,000.00
	702.8130.0140	MICROFILTRATION - CONTRACTUAL EXPENSES		20,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES AND THE PURCHASE OF WATER		
CARMEL SEWER DISTRICT #3				
32	703.8130.0040	CONTRACTUAL EXPENSES	9,500.00	
	703.8130.0099	REPAIR RESERVE FUND		2,500.00
	703.8130.9909	APPROPRIATED FUND BALANCE	*	7,000.00
		- PROVIDE AND TRANSFER FOR CONTRACTUAL EXPENSES		
CARMEL SEWER DISTRICT #4				
33	704.8130.0040	CONTRACTUAL EXPENSES	15,000.00	
	704.8130.0141	MICROFILTRATION - CHEMICALS	3,000.00	
	704.8130.0090	CONTINGENCY		5,000.00
	704.8130.0099	REPAIR RESERVE FUND		10,000.00
	704.8130.0140	MICROFILTRATION - CONTRACTUAL EXPENSES		3,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES AND MICROFILTRATION CHEMICALS		
CARMEL SEWER DISTRICT #5				
34	705.8130.0044	ENGINEERING SERVICES	8,000.00	
	705.8130.9909	APPROPRIATED FUND BALANCE	*	8,000.00
		- PROVIDE FOR ENGINEERING SERVICES FOR SD#5 FACILITY PLAN UPGRADE		
35	705.8130.0040	CONTRACTUAL EXPENSES	8,000.00	
	705.8130.0047	SLUDGE HAULING		5,000.00
	705.8130.0099	REPAIR RESERVE FUND		3,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES		

TOWN OF CARMEL
BUDGET REVISIONS MAY - AUGUST 2020 #2020/02

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
MISCELLANEOUS FUNDS				
36	100.1620.0042	BUILDING UTILITIES	980.00	
	601.8310.0047	EMERGENCY REPAIRS	62.00	
	602.8310.0047	EMERGENCY REPAIRS	2,350.00	
	604.8310.0047	EMERGENCY REPAIRS	360.00	
	605.8310.0047	EMERGENCY REPAIRS	377.00	
	606.8310.0047	EMERGENCY REPAIRS	2,644.00	
	607.8310.0047	EMERGENCY REPAIRS	365.00	
	608.8310.0047	EMERGENCY REPAIRS	4,568.00	
	609.8310.0047	EMERGENCY REPAIRS	1,870.00	
	610.8310.0047	EMERGENCY REPAIRS	2,759.00	
	613.8310.0047	EMERGENCY REPAIRS	393.00	
	614.8310.0047	EMERGENCY REPAIRS	3,965.00	
	702.8130.0040	CONTRACTUAL EXPENSES	8,631.00	
	702.8130.0140	CONTRACTUAL EXPENSES	1,021.00	
	703.8130.0040	CONTRACTUAL EXPENSES	669.00	
	704.8130.0040	CONTRACTUAL EXPENSES	2,750.00	
	705.8130.0040	CONTRACTUAL EXPENSES	3,875.00	
	706.8130.0040	CONTRACTUAL EXPENSES	2,025.00	
	100.1989.4321	FEDERAL AID - FEMA	*	980.00
	601.8310.4321	FEDERAL AID - FEMA	*	62.00
	602.8310.4321	FEDERAL AID - FEMA	*	2,350.00
	604.8310.4321	FEDERAL AID - FEMA	*	360.00
	605.8310.4321	FEDERAL AID - FEMA	*	377.00
	606.8310.4321	FEDERAL AID - FEMA	*	2,644.00
	607.8310.4321	FEDERAL AID - FEMA	*	365.00
	608.8310.4321	FEDERAL AID - FEMA	*	4,568.00
	609.8310.4321	FEDERAL AID - FEMA	*	1,870.00
	610.8310.4321	FEDERAL AID - FEMA	*	2,759.00
	613.8310.4321	FEDERAL AID - FEMA	*	393.00
	614.8310.4321	FEDERAL AID - FEMA	*	3,965.00
	702.8130.4321	FEDERAL AID - FEMA	*	9,652.00
	703.8130.4321	FEDERAL AID - FEMA	*	669.00
	704.8130.4321	FEDERAL AID - FEMA	*	2,750.00
	705.8130.4321	FEDERAL AID - FEMA	*	3,875.00
	706.8130.4321	FEDERAL AID - FEMA	*	2,025.00
		- PROVIDE FOR COSTS RELATED TO TROPICAL STORM ISAIAS FROM ANTICIPATED FEMA REVENUE		
AIRPORT PARK CAPITAL FUND				
37	910.7140.0044	PROJECT ENGINEERING	1,500.00	
	910.7140.0040	CONTRACTUAL EXPENDITURES		1,500.00
		- TRANSFER FOR AIRPORT PARK ENGINEERING COSTS		
LAKE CASSE PARK DISTRICT CAPITAL FUND				
38	941.7140.0040	CONTRACTUAL EXPENDITURES	15,000.00	
	941.7140.0044	PROJECT ENGINEERING	16,700.00	
	941.7140.0045	CONTRACTED IMPROVEMENTS	166,860.00	
	941.7140.0048	OTHER PROJECT EXPENDITURES	29,646.00	
	941.7140.5710	PROCEEDS OF BORROWING	*	228,206.00
		- RECORD 2020 CAPITAL AUTHORIZATION		
TEAKETTLE LAKE PARK DISTRICT CAPITAL FUND				
39	943.7140.0040	CONTRACTUAL EXPENDITURES	5,000.00	
	943.7140.0044	PROJECT ENGINEERING	30,500.00	
	943.7140.0045	CONTRACTED IMPROVEMENTS	115,384.00	
	943.7140.0048	OTHER PROJECT EXPENDITURES	6,322.00	
	943.7140.5710	PROCEEDS OF BORROWING	*	157,206.00
		- RECORD 2020 CAPITAL AUTHORIZATION		

RESOLUTION #2

RESOLUTION ADOPTING THE 2020 SERVICE AWARD ANNUAL REPORTS FOR CARMEL AMBULANCE DISTRICT NO. 1, CARMEL FIRE PROTECTION DISTRICTS 1 AND 2

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Ambulance District No.1, Carmel Fire Protection Districts 1 and 2, hereby accepts the 2020 Length of Service Award Program (LOSAP) Annual Report for Carmel Ambulance District No. 1, and Carmel Fire Protection Districts 1 and 2 as prepared by Penflex, Inc., a copy of which is on file in the Office of the Town Supervisor.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #3

RESOLUTION DECLARING CERTAIN EQUIPMENT OBSOLETE AND AUTHORIZING DISPOSAL

RESOLVED that, upon the recommendation of Town of Carmel Highway Superintendent, Michael Simone, the Town Board of the Town of Carmel hereby declares the following Trucks and Equipment to be obsolete and authorizes its disposal in accordance with Town Law, including but not limited to Town Law §64(2-a):

Description	Highway ID	VIN Number
2002 Chevy Utility	Truck #5	1GBJK34142E136192
2005 Int'l 4900 4x4 Dump Truck	Truck #47	1HTWEAZR75J049753
1997 John Deere Loader	Loader #2	DW544GB560532
1994 Eager Beaver Roller	Road Crew	112RNG005RT035651

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #4

RESOLUTION ACKNOWLEDGING PERFORMANCE OF EMERGENCY REPAIRS CARMEL WATER DISTRICT

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of the various water and sewer districts of the Town of Carmel, hereby acknowledges the emergency performance of water and sewer district collection system/distribution system and treatment facilities repairs, specifically those performed in Carmel Water District #2 all as fully detailed in the memorandum of Town Engineer Richard J. Franzetti, P.E. to the Town Board dated September 3, 2020, which is attached hereto and made a part thereof.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

Richard J. Franzetti, P.E.
Town Engineer



(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541

MEMORANDUM

To: Carmel Town Board
From: Richard J. Franzetti P.E. Town Engineer 
Date: September 3, 2020
Re: Emergency Repairs/Services

This memorandum is being presented to the Town Board to advise the Board of emergency invoices that were submitted for payment in excess of \$5,000.00 for services rendered. The following provides a brief a summary of the work that was performed.

- CWD2 ~ Water Main Repair

On July 31, August 3 and August 5, 2020, Inframark, the operator for the CWD 2 alerted the Engineering Department that Kuck Excavating was called in the replace (2) leaking service lines at 7 & 9 Kyle Ct. Attached is the invoice in the amount of \$17,823.94 for these repairs, which included the dig up and locate of the main, and the replacement of the curb valves.

We request that this memorandum be put into the agenda as a matter of record.

09-02-2020 - EXHIBIT "B"

Emergency Justification Form Town of Carmel Procurement Policy

Procurement Policy, Section VI: Emergency Procurement

Subdivision (4) of General Municipal Law §103 sets forth an exception to purchasing and bidding requirements for emergency situations

Department: Engineering

Vendor names: Kuck Excavating,

Nature of emergency: CWD 2 water main repair,

Estimated cost: \$17,823.94

There are three basic statutory criteria to be met in order to fall within the emergency purchase exception. State the basis for identifying an emergency purchase or service, check any that apply:

- The situation arose out of an accident or unforeseen occurrence or condition.
- Public buildings, public property, or the life, health, safety or property of the political sub-division's residents were affected.
- The situation required immediate action, which could not await competitive bidding.
- The emergency purchases or services exceeded **\$10,000** and will be submitted to the Town Board for presentation at a Town Board Meeting to acknowledge said emergency. A Town Board Resolution should be passed acknowledging the same.
- Other (provide explanation):

Purchasing Agent's signature for approval: 

Department Head's signature for approval: 

Ed Kuck Excavating Inc

20 Day Road
Carmel, NY 10512

INV # TOC-061-20

CWD # 2

REQ #

Vendor 0670

Tax ID - 133851002

Attention: Rob Vara, ENGINEERING
TOWN OF CARMEL

EMERGENCY REPLACE 2 LEAKING SERVICE LINES

Respond as per: ENGINEERING DEPT

Job Location: 7 & 9 KYLE COURT

Work Completed;8/5/2020

Start time: 7-31, 8/3/, 8/5/2020

HOURS 7/31- 7 HRS 8/3 – 8 HRS 8/5-8 HRS

23 TOTAL HOURS

Job Description:**DAY 1 SAW CUT ROAD, LOCATE SERVICE LINE DUG UP MAIN TO FIND SERVICE CONNECTIONS****DAY 2 DUG TRENCH FROM MAIN ACROSS CUL-DE-SAC TO EDGE OF PROPERTY SHOULDER- RAN 2-2" CTS- SLEEVES BACKFILLED ROAD WITH ITEM 4 AND COMPACT****DAY 3 DUG UP BOTH CURB BOXES ON PROPERTY LINES-RAN NEW ¾ " COPPER FROM MAIN THROUGH NEW SLEEVES TO BOTH HOUSE CURB VALVES. BACKFILLED AND COMPACT*****NEEDS BLACKTOP AND LAWN RESTORATION**

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	Total
Track Hoe MR55	3 DAYS	\$85.00 per hour	1955.00
Dump Truck	3 DAYS	\$90.00 per hour	2070.00
Support Vehicle	3 Days	\$155.00	465.00
Chop Saw	1 day /Day rate	\$ 70.00	70.00
Jumping Jack	2 Days / Day rate	\$70.00	140.00
Plate tamper	Day rate	\$70.00	
Mud Sucker	Day rate	\$70.00	
Locater	Day rate	\$70.00	
Machine Hammer	Day rate	\$250.00	
Machine operator	23 Hrs X 1 man	\$184.18	4236.14
Laborers	23 Hrs X 2 men	\$159.30	7327.80
Item 4	39 yards	\$40.00 per yard	1560.00
Seed		\$96.00 bag	
Top soil		\$50.00	
Blacktop		\$114.00 per ton	
Cold Patch		\$140.00 per ton	
Hay		\$15.36 bag	
Total			17,823.94

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

NAME OF CONTRACTOR OR SUBCONTRACTOR ADDRESS 20 DAY ROAD CARMEL NY 10512 OMB No.: 1235-0008 Expires: 04/30/2021

ED KUCK EXCAVATING INC PROJECT AND LOCATION TOWN OF CARMEL PROJECT OR CONTRACT NO. CWD #2 T0C-061-20 - 7th Kuck Ct.

PAYROLL NO. T0C- FOR WEEK ENDING 8/7/2020

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITH-HOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS				(9) NET WAGES PAID FOR WEEK	
			OT.	S	S	M	T	W	Th				FICA	WITH- HOLDING TAX	OTHER	TOTAL DEDUCTIONS		
SCOTT TOMPKINS 88 SOUTH WHITE ROCK ROAD HOLMES, NY 12531 0244		LABORER	o															
			s	7		8		8		23	41.50 / 19.47	955.15 / 447.87						
VICTOR JEREZ AGUILAR 6 NORTH RIDGE ROAD CARMEL, NY 10512		LABORER	o															
			s	7		8		8		23	41.50 / 12.32	955.15 / 53.36						
EDWARD L KUCK 34 SOMERSET ROAD MAHOPAC, NY 10512 4944		OPERATOR	o															
			s	7		8		8		23	33.50 / 25.5	1257.40 / 678.50						
EDWARD L KUCK 34 SOMERSET ROAD MAHOPAC, NY 10541		LABORER	o															
			s															
			o															
			s															
			o															
			s															
			o															
			s															

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(e). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(i) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

RESOLUTION #5

RESOLUTION AUTHORIZING IMPROVEMENTS AT SYCAMORE PARK (TREE BENCH)

RESOLVED that the Town Board of the Town of Carmel, in connection with the proposed Eagle Scout project, (Tree Bench at Sycamore Park) of Chris Stiller of Boy Scouts of America Troop #1 Mahopac, hereby authorizes the performance of improvements at Sycamore Park in accordance with the memorandum and plans provided by Director of Recreation and Parks James R. Gilchrist as detailed in his memorandum to the Town Board dated September 4, 2020; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates for all vendors and contractors proposed to perform improvements in connection with this authorization in form acceptable to Town Counsel, the aforesaid work may be commenced.

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #6

RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at the Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 on Wednesday, October 7, 2020 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law amending Chapter 147 of the Code of the Town of Carmel entitled "Vehicles and Traffic" by amending certain Schedules therein; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and instructed to publish and post the necessary notices in the official newspapers of the Town and on the Town bulletin board regarding this Public Hearing.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	_____	_____
Michael Barile	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Kenneth Schmitt	_____	_____

PROPOSED LOCAL LAW # _____ OF THE YEAR 2020

**A LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE
OF THE TOWN OF CARMEL, ENTITLED “VEHICLES AND
TRAFFIC”**

SECTION 1

This Local Law shall be known as 2017 Amendments to Chapter 147 entitled “Vehicles and Traffic”.

SECTION 2.

Chapter 147 of the Town Code of the Town of Carmel, §147-51, Schedule X: Parking Prohibited at All Times is hereby amended to add the following street/road locations set forth herein:

In accordance with the provision of §147-19, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
Route 6	Both Sides	Between East Lake Boulevard and McMahon Place

SECTION 3 B HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 4 B SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5 B EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLUTION #7

RESOLUTION ANNOUNCING COMPLIANCE WITH GOVERNOR EXECUTIVE ORDER NO. 203 POLICE REFORM AND REINVENTION COLLABORATIVE

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of the Town of Carmel Police Department, hereby acknowledges receipt of and its intention to comply with the provisions of Executive Order No. 203 of the Hon. Andrew M. Cuomo, issued on or about June 12, 2020 with respect to the Police Reform and Reinvention Collaborative for the State of New York; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Carmel designates and appoints Interim Commanding Officer Lt. John R. Dearman as liaison to the Town Board and all local police agencies for purposes of this initiative.

Resolution

Offered by: _____

Seconded by: _____

Roll Call Vote	YES	NO
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #8

RESOLUTION ACCEPTING PROPOSAL FOR PROFESSIONAL SERVICES LAKE MAHOPAC DAM ENGINEERING ASSESSMENT

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby authorizes acceptance of the proposal of Schnabel Engineering, Glen Allen, VA for professional services required in connection with preparation of an Engineering Assessment for Lake Mahopac Dam in accordance with the terms of the Order on Consent issued in New York State Department of Environmental Conservation Case No. CO3-20170425-83 at a cost not to exceed \$93,100.00; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary contract documentation to effect acceptance of this proposal upon the terms authorized herein.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

Richard J. Franzetti, P.E.
Town Engineer



(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541

MEMORANDUM

To: Carmel Town Board

From: Richard J. Franzetti P.E., Town Engineer 

Date: October 17, 2020

Re: Semi- Annual MS4 Report

The Town of Carmel is an MS4 community and as such we are required to develop and submit an annual report, due by June 1 of any given year, and a semi-annual report, due by December 1 of any given year, under the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from MS4s (GP-0-15-003).

Attached for your consideration is the Semi-Annual MS4 Report. This document will need to be signed by the owner/operator (i.e., Supervisor) and then forwarded to the NYSDEC.

I respectfully request that this agenda item be placed the next Town Board Work session.

Progress Report for Part IX.A

Permit #

Watershed Name

MS4 Name

Reporting Period Ending (mm/dd/yyyy) / /

Watershed Improvement Strategy

Describe the strategy to reduce the discharge of phosphorous to this waterbody. Include new sources that may have been identified and any modifications to the strategy to better address new sources.

Public Education & Outreach

1. Description of the education program

2. Who is the target audience and what is the message delivered to each target audience?

3. Identify how many educational materials have been developed and distributed

4. Identify how many educational materials have been developed and distributed that focus on:

a. understanding the Phosphorous issues

b. Septic systems as a source of Phosphorus
Non-Traditional MS4

c. Phosphorous concerns with fertilizer use

d. Phosphorous concerns with grass clippings and leaves entering the MS4

e. Construction sites as a source of Phosphorus

f. Phosphorous concerns with detergent use

PERMIT #

5. Education plan and goals for the next 6 months

Illicit Discharge Detection and Elimination

Non-Traditional MS4 (Skip Question 6-6e)

6. Number of On-Site Wastewater Treatment Systems (OWTS) with a design capacity of less than 1000 gpd that are located in sewersheds that drain to the listed waterbody _____

a. Number of OWTS inspected in this reporting _____

b. Number of OWTS in need of maintenance or rehabilitation _____

c. Number of OWTS where maintenance or rehabilitation has been performed in this reporting period. _____

d. State the plan for OWTS that have not been addressed in 6c this reporting period

e Describe the OWTS inspection program: Who is responsible for performing OWTS inspections? (eg:Septage Haulers, DOH, engineer, consultant); What methods are used? Are there trends in systems that need maintenance vs systems that need rehabilitation?

7. Number of Illicit Discharges detected within sewershed of listed waterbody in this reporting period. _____

a. Number reported in 7 that have been eliminated _____

b. List of Illicit Discharge locations that have not been eliminated in this reporting period and the target date for elimination

Location	Target Date (mmddyyyy)
<input type="text"/>	___/___/_____

PERMIT #

Location

Target Date (mmddyyyy)

___/___/_____
___/___/_____
___/___/_____
___/___/_____
___/___/_____

Construction Site Stormwater Runoff Control

Non-Traditional MS4 (Skip Question 8)

8. Number of SWPPPs reviewed and approved during this reporting period

9. Number of active construction sites within sewersheds of impaired waterbody during this reporting period:

a. Number of sites reported in 9 that are between 5000 sqft and 1 acre

b. Number of sites inspected in this reporting period

c. Number of sites in need of corrective action

d. Number of sites where corrective action was completed in this reporting period

e. Discuss inspections. Discuss trends that may have been observed in this reporting period. State reasoning for not inspecting all active construction sites. (if applicable)

10. Construction Site Stormwater Runoff Control plan and goals for the next 6 months

Post Construction Stormwater Management

11. Number of Stormwater Management Practices (SMPs) located in sewersheds that drain to the listed waterbody

a. Number reported in 11 that have been inspected in this reporting period

b. Number of SMPs in need of maintenance or rehabilitation

c. Number of SMPs where maintenance or rehabilitation has been performed in this reporting period.

d. Number of SMPs where phosphorous pollutant problems have been identified.

e. Number reported in 11d where the pollutant problem has been addressed.

f. Who is responsible for performing SMP inspections?

PERMIT #

g. Is the criteria in Ch 5, 6, and 10 of the NYS Stormwater Management Design Manual being applied? (If no, please describe deviations) Y N

h. State procedures to identify sites with post construction controls that are not functioning as designed (ie, rill erosion, pollutant bypass)?

12. Describe the retrofit program. Include the funding sources and design description of retrofits. Identify all retrofits that have been constructed and maintained during this reporting period.

13. Post-Construction Stormwater Management plan and goals for the next 6 months

Municipal Operations Pollution Prevention/Good Housekeeping

Non-Traditional MS4 (Skip Question 14)

14. Number of catch basin and manhole sumps within sewersheds discharging to listed waterbody _____

a. Number reported in 14 that have been inspected in this reporting period _____

b. Number reported in 14a cleaned in this reporting period _____

15. Number of conveyance system outfalls within sewersheds discharging to listed waterbody _____

a. Number reported in 15 that have been inspected in this reporting period. _____

b. Number reported in 15a maintained in this reporting period. _____

c. Number reported in 15a repaired in this reporting period. _____

16. Amount by weight in pounds of turf fertilizer containing phosphorous that was applied on municipally owned lands in this reporting period. _____

17. Describe turf management practices implemented during this reporting period. Include strategies implemented to introduce native plants to reduce fertilization and mowing

9/23/2020 Work Session Agenda Item #2

Richard J. Franzetti, P.E.
Town Engineer



(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541

MEMORANDUM

To: Carmel Town Board

From: Richard J. Franzetti P.E. Town Engineer 

Date: September 17, 2020

Re: R2019-007 CWD 2 Distribution System Upgrades - Request to go out for Bid

As the Board is aware the Engineering Department solicited proposals from qualified Engineering to provide prepare bid documents and specifications and construction administration for the water distribution system upgrades in Carmel Water District 2. The Board has authorized John Robert Folchetti and Associates to prepare plans and specification necessary to go out to Bid for this work.

As the Board may recall these upgrades include relining of ~ 10 miles (52,800 ft) of pipe, installation of valves, and the installation of new mains. The estimated timeline to complete all aspect of this project is ~ 2 years. The following should be noted:

- The relining project requires temporary water be placed into service (including hydrants);
- Based on industry standards ~1,000 ft per week relining can be completed;
- Typical production seasons last from April to October in this area;
- Assuming the selected contractor is able to reline the pipes at this rate, the relining project would take ~ one (1) year to complete (if working year-round);
- This would require that temporary water lines installed in the winter months;
- In order to save money, by not having provide heated temporary lines in the winter months, the relining project has been broken down into two (2) phases as follows:
 - Contract Phase 1 - includes the relining Fair Street, St. Michaels Terrace, Everett Road, and Kelly Ridge Road areas;
 - Phase 2 - included relining Sunset Ridge, Collier Drive (East and West), Fowler Avenue Sunny Crest, and Lindy Drive areas
- The intent is to let this first phase out bid in the fall of 2020 for a spring 2021 project start and to let the second phase out in the winter of 2021 for a summer/fall 2021 relining project.
- The design of the new main (backlot between Kelly Road and Stoneleigh) and the valve installation projects will be let out in the spring/summer 2021 for a 2021 summer/fall start.

At this time, the Engineering Department requests authorization to let these projects out for public bid upon completion of the plans and specifications.

Tel: (845) 628-1500 Fax: (845) 628-7085 email rjf@ci.carmel.ny.us

G:\Engineering\Contracts and RFPs\R2019-007 - CWD 2 Relining\Request to Bid\09-17-2020 CWD 2 Relining new lines and valves Request to Bid.doc

9/23/2020 Work Session Agenda Item #3

Richard J. Franzetti, P.E.
Town Engineer



(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541

MEMORANDUM

To: Carmel Town Board

From: Richard J. Franzetti P.E. Town Engineer 

Date: September 23, 2020

Re: Request to Lift Mandatory Water Restrictions for CWD7 and CWD 12

B&J the operators of Carmel Water District 7 (CWD 7) and Inframark the operators of Carmel Water District 12 (CWD12) has advised the Engineering Department (Department) that the water restrictions at each of these Districts can be lifted at this time as the systems are functioning normally.

This Department concurs with the assessment and recommends that the mandatory restrictions be withdrawn.

I respectfully request that this matter be placed on the next available work session for discussion.

From: [Brann, Thomas](#)
To: [Franzetti, Richard](#)
Cc: [Joe Scollan - B&J \(joe@beeandjayplumbing.com\)](#); [Ted Kugler - B&J \(ted@beeandjayplumbing.com\)](#); [Batz, Michael](#); [Esteves, Donna](#); [Vara, Rob](#); [Kim Ferguson](#); [Harris, Carrie](#); [Boyd, Diane](#)
Subject: Re: 09-14-2020 RE: 09-10-2020 - Mandatory Water Restrictions - CWD 7 and CWD 12
Date: Monday, September 14, 2020 9:38:01 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Richard,

CWD 12 has stabilized as far as daily demands, The GPMs of all 3 wells are still slightly down as the ground water table is still lower than normal.

I do believe you can lift the water restrictions safely in the first week of October. If there are any significant changes in production or demands I will advise you accordingly.

Tom Brann

Sent from my iPhone

On Sep 14, 2020, at 9:10 AM, Franzetti, Richard <rjf@ci.carmel.ny.us> wrote:

Please advise via email if these restrictions can be lifted,

Richard J. Franzetti. P.E, BCEE
Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541
Phone - (845) 628-1500 ext 181
Fax – (845) 628-7085
Cell – (914) 843-4704
rjf@ci.carmel.ny.us

This communication may be confidential and is intended for the sole use of the addressee(s). No use or reproduction of the information provided is permitted without the written consent of the Town of Carmel. If you are not the intended recipient, you should not copy, disclose or take any action in reliance on this communication. If you have received this communication in error, please notify the sender by reply e-mail and delete the message and any attached documents.

From: Franzetti, Richard
Sent: Thursday, September 10, 2020 4:46 PM
To: Joe Scollan - B&J (joe@beeandjayplumbing.com) <joe@beeandjayplumbing.com>;
Ted Kugler - B&J (ted@beeandjayplumbing.com) <ted@beeandjayplumbing.com>;

From: [Joe Scollan](#)
To: [Franzetti, Richard](#)
Subject: RE: 09-10-2020 - Mandatory Water Restrictions - CWD 7 and CWD 12
Date: Monday, September 14, 2020 10:21:15 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Rich

Joe says you can lift the restriction at 7

Kim

From: Franzetti, Richard [mailto:rjf@ci.carmel.ny.us]
Sent: Thursday, September 10, 2020 4:46 PM
To: Joe Scollan - B&J (joe@beeandjayplumbing.com) <joe@beeandjayplumbing.com>; Ted Kugler - B&J (ted@beeandjayplumbing.com) <ted@beeandjayplumbing.com>; Brann, Thomas <Thomas.Brann@inframark.com>; Batz, Michael <michael.batz@inframark.com>
Cc: Esteves, Donna <de@ci.carmel.ny.us>; Vara, Rob <rjv2@ci.carmel.ny.us>; 'Kim Ferguson' <kim@beeandjay.com>
Subject: 09-10-2020 - Mandatory Water Restrictions - CWD 7 and CWD 12
Importance: High

Joe/Ted and Tom/Mike

Can you please advise of the status of the water emergency in the reference districts.

Please advise if the mandatory water restrictions can be lifted. If so I will need to request to have the Town Board vote to lift said restrictions.

Note next meeting Town Board work session is October 7, and the voting session is October 14, 2020. I need to prepare a memorandum for the board by October 1, 2020 .

Thanks

Richard J. Franzetti. P.E, BCEE
Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541
Phone - (845) 628-1500 ext 181
Fax – (845) 628-7085
Cell – (914) 843-4704
rjf@ci.carmel.ny.us

9/23/2020 Work Session Agenda Item #4

Richard J. Franzetti, P.E.
Town Engineer



(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541
MEMORANDUM

To: Carmel Town Board
From: Richard J. Franzetti P.E. Town Engineer 
Date: June 13, 2019
Re: R-2020-003- Concrete Repairs at Carmel Town Hall

At the request of the Supervisor, this Department developed an RFP to obtain pricing for concrete repairs to the south entryway at the Town Hall. The RFP was sent to five (5) masons (see attached list). Two (2) proposals were received as provided in the attached. The two (2) respondents were John Astrologo and Coviello Landscaping.

The pricing summary is as follows:

John Astrologo	\$26,000.00
Coviello Landscaping	\$29,000.00

The Comptroller has advised that sufficient funds exist for this project (see attached email)

John Astrologo has performed several projects for the Town of Carmel in the past, which was inspected by this Department. We have always been satisfied with workmanship, materials and performance. Based upon the above, we recommend that the project be awarded to John Astrologo, for \$26,000.00.

BIDDERS LIST

R2020-003 CONCRETE REPAIRS AT CARMEL TOWN HALL

John Astrologo
Solid Masonry
38 Ridgewiew Avenue
Mahopac, New York 10541
914-906-2714

Coviello Landscaping
65 Everett Road
Carmel, New York 10512
845-222-7128

Mickey Farina
87 Bullet Hole Road
Mahopac, New York 10541
845-803-2857

Joe Fergosi
82 Anton Drive
Carmel, New York 10512
914-447-7022

C.K. One Construction
28 Albin Road
Carmel, New York 10512
628-6847

PROPOSAL SUBMISSION SHEET
R2020-003
Concrete Repairs at Town Hall

Lump Sum Price:

\$ 26,000.00
(numbers)

TWENTY SIX THOUSAND DOLLARS
(words)

Submitted By: JOHN ASTROLOGO

Title: OWNER

Applicants Legal Address:

38 RIDGEVIEW AVE
MAHOPAC NY


Signature

9/10/2020
Date

Richard Franzetti, P.E.
Town Engineer



(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541

July 20, 2020

NOTICE TO VENDORS

Please submit your proposal to Robert Vara, Engineering Projects Coordinator on or before 4:30 PM on Friday, August 7, 2020. Please submit your proposal in a sealed envelope marked "**R2020-003 Concrete Repairs at Carmel Town Hall – South**".

SPECIFICATIONS **CONCRETE REPAIRS** **AT CARMEL TOWN HALL – SOUTH** **R2020-003**

The contractor agrees to provide all necessary tools and equipment required for the proper performance of work described below. Contractor shall be responsible for removal and disposal of all demolition debris.

DESCRIPTION OF WORK

The concrete entry way is in poor condition. The objective of this project is to repair this area which is approximately 400 square feet. The work included is as follows:

- Remove 2" depth of concrete from entire entryway slab.
 - Wash and remove all loose concrete and dust
 - Apply concrete adhesive to surface.
 - Pour new concrete to match into sidewalk and existing features (doors etc.). Provide brush finish. Provide appropriate pitch towards sidewalk
 - Apply sealer.
 - All demolition work to occur on weekend so as not to interfere with Town of Carmel business.
-

- Contractor to provide appropriate barricades to prevent pedestrian access to construction site during work.
- The attached sketch is provided for informational purposes only. The Contractor must verify all measurements.

PAYMENT

Contractor shall be paid in one lump sum upon completion of all work.

DURATION

All work shall be completed within two weeks of commencement of work.

MODIFICATIONS

Upon removal of concrete from entryway slab, the contractor and Engineer will inspect the condition of the existing rebar. If the Engineer directs rebar repair/replacement, then this work shall be paid as an agreed upon extra.

INSURANCE

As required on attached Schedule "A"

PREVAILING WAGES

This is a public work project. The contractor is required to pay all employees New York State Prevailing Wages in accordance with the New York State Labor Law.

PROPOSAL SUBMISSION SHEET
R2020-003
Concrete Repairs at Town Hall

Lump Sum Price:

\$ 29,000.00
(numbers)

Twenty Nine Thousand Dollars
(words)

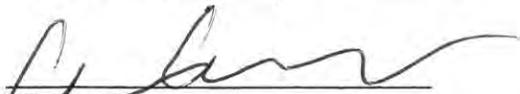
Submitted By: Christopher Coriello

Title: owner

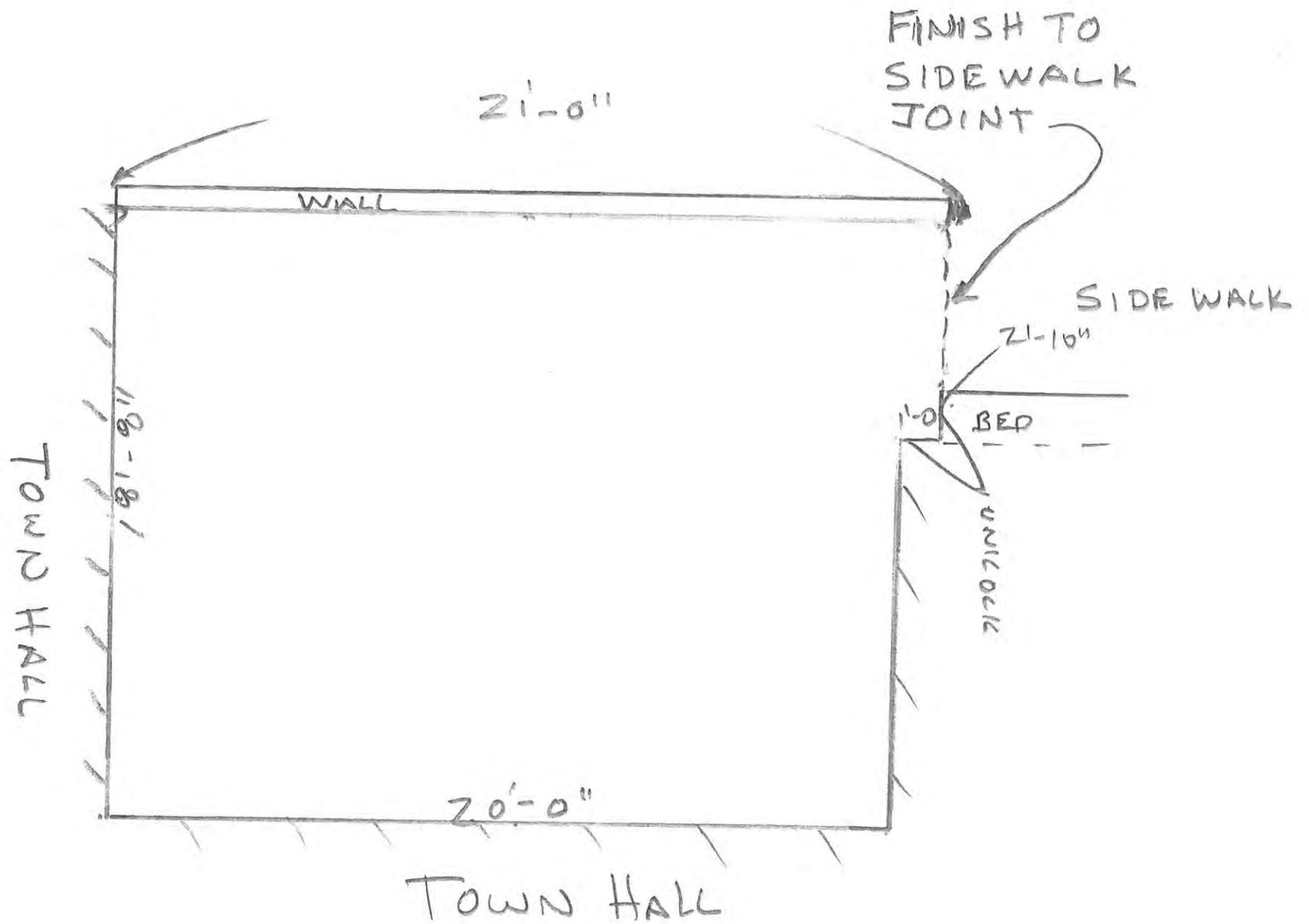
Applicants Legal Address:

65 Everett Rd

Carmel NY 10512


Signature

8/19/2020
Date



NTS.
||

SCHEDULE A

Town of Carmel, Putnam County, NY

Insurance Requirements – Contractors

- I. Notwithstanding any terms, conditions or provisions in any other writing between the parties the contractor hereby agrees to effectuate the naming of the municipality as an unrestricted additional insured on the contractor's insurance policies, with the exception of workers' compensation. Before any of the work is started under this contract, the contractor shall file with the municipality a certificate(s).
 - II. The policy naming the municipality as an additional insured shall:
 - Be an insurance policy from an A.M. Best rated "secured" or better, New York State admitted insurer.
 - Provide for 30 days' notice of cancellation.
 - State that the contractors' coverage shall be primary coverage for the municipality, its Board, employees and volunteers.
 - The municipality shall be listed as an additional insured by using endorsement CG 2026 or broader. The certificate must state that this endorsement is being used. If another endorsement is used, a copy shall be included with the certificate of insurance.
 - III. The contractor agrees to indemnify the municipality for any applicable deductibles.
 - IV. Required Insurance:
 - Commercial General Liability Insurance
\$1,000,000 per occurrence/\$2,000,000 general and products/completed operations aggregates. The general aggregate shall apply on a per-project basis.
 - Automobile Liability
\$1,000,000 combined single limit for owned, hired and borrowed and non-owned motor vehicles. \$1,000,000 contracts above \$100,000.
 - Workers' Compensation
Statutory Workers' Compensation and Employers' Liability Insurance for all employees.
 - Owners/Contractors Protective Insurance
(Required for construction projects in excess of \$500,000). \$1,000,000 per occurrence/\$2,000,000 aggregate, with the municipality as the named insured.
 - Excess Insurance
-

Limits depending on the size of the project: \$1,000,000 limit for contracts above \$100,000, \$3,000,000 limit for contracts above \$250,000, and \$5,000,000 limit for contracts above \$500,000.

- Bid, Performance and Labor & Material Bonds

If required in the specifications, these bonds shall be provided by a New York State admitted Surety Company, in good standing.

- If any work is to be subcontracted, the proposed subcontractor must be reviewed with the municipality prior to acceptance.

- Professional Errors & Omission Insurance

All Professional Consultants such as Engineers, Architects, Surveyors, Contractor Construction Managers, Environmental, Attorneys and Accountants.

\$1,000,000 per occurrence/\$2,000,000 Aggregate for negligent professional acts of the consultant.

V. Contractor acknowledges that failure to obtain such insurance on behalf of the municipality constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the municipality. The contractor is to provide the municipality with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities.

From: [Maxwell, Mary Ann](#)
To: [Franzetti, Richard](#)
Cc: [Esteves, Donna](#); [Vara, Rob](#); [Tenefrancia, Michelle](#)
Subject: RE: 09-15-2020 - R2020-003
Date: Tuesday, September 15, 2020 11:20:52 AM

Yes there are funds in the 2020 building special improvement budget.

Mary Ann Maxwell
Town Comptroller
Town of Carmel
(845) 628-1500 ext 175
Fax (845) 628-7085
mam@ci.carmel.ny.us

From: Franzetti, Richard
Sent: Tuesday, September 15, 2020 10:56 AM
To: Maxwell, Mary Ann <mam@ci.carmel.ny.us>
Cc: Esteves, Donna <de@ci.carmel.ny.us>; Vara, Rob <rjv2@ci.carmel.ny.us>
Subject: 09-15-2020 - R2020-003

Mary Ann

Are there sufficient funds in the Town Budget for the concrete repairs at the south entry way? The price is \$26,000.00

Richard J. Franzetti. P.E, BCEE
Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541
Phone - (845) 628-1500 ext 181
Fax – (845) 628-7085
Cell – (914) 843-4704
rjf@ci.carmel.ny.us

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9/23/2020 Work Session Agenda Item #5



TOWN OF CARMEL RECREATION & PARKS DEPARTMENT
SYCAMORE PARK, 790 LONG POND ROAD
MAHOPAC, NEW YORK 10541

JAMES R. GILCHRIST, CPRP, DIRECTOR

TELEPHONE: (845) 628-7888 FAX: (845) 628-2820

EMAIL: carmelrecreation@ci.carmel.ny.us

WEB: <http://www.carmelny.org>

DATE: September 17, 2020

TO: Carmel Town Board
Carmel Town Hall

FROM: James R. Gilchrist, CPRP
Director, Recreation and Parks

SUBJECT: Recreation Department Program Update

As per Supervisor Schmitt's request, I would like to present an update on new programs, events and park improvements the Recreation and Parks Department has implemented over the past few months for Town of Carmel residents. I have attached a report outlining our recent activities for your review.

Please add this to the September 23, 2020 Town Board Work Session Agenda, and contact me with any questions.

/nls
Attachments



RECREATION DEPARTMENT

JUNE - AUGUST

2020

WATERFRONT PROGRAMS

LAKE SYCAMORE BEACH - June 20 – August 30

The Recreation Department created and implemented a Covid-19 Waterfront Safety Plan and registration procedures that followed all NYS and Department of Health recommended guidelines. The plan was submitted to NYS and the Putnam County Department of Health.

Beach Swim Permits:

• Adult Swim Permits	6	Adult Daily Passes	143
• Youth Swim Permits	0	Daily Adult Guest	60
• Family Swim Permits	27	Youth Daily Passes	38
• Nanny Swim Permit	1	Daily Youth Guest	67
• 10 Visit Punch Card	35	Family Day Passes	93

Boat Rentals:

- \$5 per hour / vessel
- As of August 30:
 - Kayaks - 113
 - Boats - 5
 - Canoes - 12
 - Paddle Boards – 50
 - *Free boat rentals were offered to Senior Citizens*

Received a lot of positive feedback from residents regarding the beach and staff

2019 Sycamore Beach Revenue: \$4,500

2020 SYCAMORE BEACH REVENUE: \$13,290

WATERFRONT PROGRAMS AND CLASSES

SYCAMORE PARK – LONG POND

***NEW Program** Fishing at Sycamore Park:

This was a new program introduced this summer where residents can rent a vessel and fish on Sycamore Lake with Lifeguard supervision.

- Registration opened July 10th
- Tuesday and Wednesday Evenings
- Dates: 7/21, 7/22, 7/28, 7/29, 8/4, 8/5, 8/11, 8/12, 8/18, 8/19,
- Time: 6:00pm – 8:00pm
- Registration Fee: \$5 / Residents Only
- 12 Registered

Advanced Stand Up Paddle Boarding:

Review of basics including safety, paddle techniques and proper balance form; 16 years or older

- Equipment included
- Tuesdays and Wednesdays: 5:00pm – 6:00pm
- Registration Fee: \$105/Residents; \$140/Non-residents
- Max 9 – 9 Total Registered

Sycamore Beach:

- new sand for beach delivered
- practiced waterfront safety drills
- PC Health Dept. camp / beach inspections– in compliance

LAKE MAHOPAC

Intro to Recreational Kayaking:

Learn basics of Kayaking including safety, paddle techniques, proper balance, reading weather conditions, and proper kayaking form; guided tours around the lake and Islands

- 16 years or older
- Kayaks provided by the Recreation Department
- Thursdays: 7:30am – 8:30am
- Registration Fee: \$105 Residents / \$140 Non-residents
- Max 10 each session – 9 Registered

WATERFRONT PROGRAMS AND CLASSES (cont.)

Kayak Launching:

Kayak on your own; Recreation Department will aid with launch, as well as provide equipment including Kayak, Paddle and PFD

- Must Pre Register to Launch
- Ages 18 years and older
- Tuesdays: 7:00am – 9:00am
- Thursdays: 12:00pm – 2:00pm
- Saturdays: 8:00am – 10:00am
- Registration Fee: \$15 per date – Residents Only
- Max 10 per date – 122 Registered

Sunset Yoga:

Relaxing techniques as well as full body workout and strengthening your core; 12 years and older

- Mondays: 6:45pm – 7:45pm
- Registration Fees: \$75 Residents / \$110 Non-residents
- 9 Registered

Lake Mahopac:

- New kayak shed purchased and installed
- Kayak launch installed

2020 WATERFRONT PROGRAMS REVENUE:

\$3,963

WATERFRONT PROGRAMS AND CLASSES

AMERICAN RED CROSS CERTIFICATION COURSES:

Lifeguard Training: Not offered to new participants due to Covid

Course provides ARC Certification; must be 15 years or older

- Registration opened May 1st
- Dates: 6/11,6/12,6/13 and 6/14
- Time: 4:30pm – 9:00pm
- Registration Fee: \$375 / Residents; \$410 Non-residents
- Max 10

Lifeguard Training Review:

A refresher course in Lifeguarding with CPR/AED for those who are already certified; includes First Aid and Waterfront Skills

- Registration opened May 1st
- Date: 8/22
- Time: 4:30pm – 9:30pm
- Registration Fee: \$190 / Residents; \$225 Non-residents
- 4 Registered

Responding to Emergencies: Not offered due to Covid

An expanding first aid course that provides necessary knowledge and skills to respond to emergency situations – Required for camp leadership staff

- Registration opened May 1st
- Date: 5/31 and 6/1
- Time: 4:30pm – 9:30pm
- Registration Fee: \$220/ Residents; \$255 Non-residents
- Max 4 –

CPR/AED Review:

Offered for Recreation Department waterfront staff only

- Registration opened May 1st
- Date: 8/17
- Time: 4:30pm – 9:30pm
- Registration Fee: \$70/ Residents; \$105 Non-residents
- 12 Registered

SUMMER EVENTS

The Recreation Department was unable to hold the following planned Summer Events due to Governor Cuomo's public gathering restrictions.

MUSIC FEST:

Showcase for local teen bands

- Saturday, June 20 4:00pm – 8:00pm
- Chamber Park
- Free for Residents

SYCAMORE BEACH "LUAU" PARTY:

Summer "kick-off" on the beach; live music, dancing, swimming, boating, and a movie under the stars

- Saturday, June 20
- 3:00pm – 9:00pm
- Sycamore Park
- Free for Residents

SUMMER CONCERT SERIES:

Mahopac Chamber Park

- Thursdays: 7:00 pm - 9:00 pm
No Concert@ Chamber On 7/9
- June 25 Nashville Drive; Top 40 Country
- July 2 Back to The Garden 1969; The Woodstock Experience
- July 16 Soulmates; Music from The Heart & Soul
- July 23 Andrea And the Armenian Rug Riders; Best Cover Rock Band in The Hudson Valley
- July 30 The Greyhounds; 50's & 60's Rock and Roll
- August 6 Patrick Perone And The Blue Suede Rockers Showband; Elvis TributeBand
- August 13 Chatterbox 5; Motown, Disco & Oldies
- 4th of July Concert at Red Mills Park -

FARMERS MARKET:

- Saturdays; May 3 – October 25
- 9:00am – 1:00pm

Miscellaneous:

- Press Releases prepared and posted
- Scheduled volunteers for all upcoming events
- Booked bands for Music Fest
- Booked bands for Summer Concert Series
- Cancelled all contracts for planned events

FALL EVENTS

***New Program** **BINGO IN THE PARK:**

Beginning Tuesday, September 8, 2020 we will be offering outdoor bingo at Camarda Park on Tuesdays, Wednesdays and Thursdays for our senior community.

***New Program** **DRIVE-IN MOVIE SERIES:**

Drive-in movies at Camarda Park on Friday nights at dusk; limited capacity: must pre-register

- September 25 Toy Story 4
- October 16 TBD Halloween theme
- October 30 TBD Halloween theme

PARK FACILITIES AND AMENITIES

Sycamore Bark Park:

- Open daily 8:00am - Sunset
- Residents Only
- Registration Fee: \$30 / Calendar Year
- New Members: June - August 16 registered; 227 Total Members

Miscellaneous:

- Registered members and issued permits
- Removed fallen tree limbs and debris
- Replenished Pick-up bags
- Monitored water

PARK UPDATES / REPAIRS:

Sycamore Park:

- Paved / blacktopped upper parking lot and walkway
- Removed downed tree limbs / debris from storm
- Storm damaged telephone pole replaced
- New mulch spread around playground
- Installed new swings
- Mural -hand painted on wall in first aid room

Sycamore Beach / Lake Mahopac:

- New sand delivered and spread at Sycamore beach
- New foundation and shed for kayaks on Lake Mahopac
- Added gravel between concrete and grass by lake
- Maintained grass cutting and weed whacking

McDonough Park:

- Installed new skate park equipment

PARK FACILITIES AND AMENITIES (cont.)

Chamber Park:

- Fixed pavers by lake
- Added new No Fishing sign by waterfront
- Sanded and stained all benches
- Fixed stairs on gazebo

Airport Property:

- Water line from Well no.7 was installed
- Soccer equipment was ordered, delivered and assembled
- Building is currently being constructed
- Septic system went out to bid and due to be installed in October

Red Mills Park:

- 2 new picnic tables and benches constructed – Eagle Scout

RECREATION DEPARTMENT / OFFICE

****NEW Program*** "Amped for Camp"

- Participated in a collaborative camp project in the Hudson Valley
- Home-based virtual camp activities
- 8-week program

File Retention Storage Project:

- Worked with Town Clerk's office on project
- Emptied entire contents of main building attic
- Archived 54 office file boxes from recreation building attic
- Prepared 23 file boxes to be destroyed
- Archived and prepared 25 file boxes to be sent to storage at Town Hall
- All remaining file boxes were archived and will be stored in recreation office

Fall / Winter Brochure:

- Developed programs that work within the guidelines of Covid-19 protocol
- Designed, created Fall/Winter Classes Brochure
- Registered participants for classes / programs offered by Recreation Department
- Updated flyers and community information boards
- Maintained updates to Fall class calendar in Community Pass

9/23/2020 Work Session Agenda Item #6

From: [Dearman, John](#)
To: [Pasquerello, Anne](#)
Subject: Obsolete Equipment
Date: Monday, August 31, 2020 12:08:12 PM

Anne,

Please put on for a resolution to dispose of obsolete equipment our old RICl fingerprint computer originally purchased from Comnetix Inc (Fed ID #980488004/ GST #83736 6962 RT0001) to include:

Processing/workstation serial #90050-002
Signature pad
Camera motor/tilt pan
Digital mug shot trans kit
Power supply/back up
Touch print pad 5000 serial #90050-001

Please be advised that we kept the digital camera as a back-up for the Detective Division

Thank you,

Lt. John Dearman

John Dearman
Police Lieutenant
Town of Carmel Police Department
60 McAlpin Ave
Mahopac, NY 10541
(845) 628-1300

9/23/2020 Work Session Agenda Item #7

From: [Dearman,John](#)
To: [Maxwell,Mary Ann](#)
Cc: [Greg Folchetti](#); [Pasquerello,Anne](#)
Subject: Authorization/User Fee Schedule
Date: Monday, August 31, 2020 11:49:04 AM
Attachments: [Fingerprint Escrow Contract - Carmel Town PD.PDF](#)

Mary Ann,

Attached is a contract for a user agreement with NYS DCJS to submit civilian application fingerprints for criminal history background checks. It requires us to keep money in escrow with DCJS in order to pay for the fingerprint searches. In order to pay for this service, we will need to increase the Town user fee schedule from \$35 to \$100 dollars for everyone who comes to CPD requesting that we take their fingerprints for an employment background check. This will eliminate the need for us to use ink print cards and reduce the number of times people have to come back to us because the ink prints were not good enough for the search. I guess we will have to open a separate account at the bank for this money? I seek your guidance...

Thank you,

Lt. John Dearman

John Dearman
Police Lieutenant
Town of Carmel Police Department
60 McAlpin Ave
Mahopac, NY 10541
(845) 628-1300



**Division of Criminal
Justice Services**

ANDREW M. CUOMO
Governor

MICHAEL C. GREEN
Executive Deputy Commissioner

BRAD STEVENS
Director of Finance

August 28, 2020

John Dearman
Carmel Town Police Department
60 McAlpin Avenue
Mahopac, NY 10541

Dear Mr. Dearman:

Enclosed is the Letter of Agreement for setting up the Fingerprint Escrow Account for payment of criminal history record searches. It is necessary to secure authorized signatory approval of this document by Carmel Town Police Department as a basis for establishing our mutual responsibilities in this area.

Upon return of the approved Letter of Agreement, a required initial deposit amount of **\$700.00** must be received in order for the Division of Criminal Justice Services (DCJS) to establish your account.

If you have any questions, please contact Mark Williams at (518) 485-7976.

Very truly yours,

A handwritten signature in blue ink that reads "Mark Williams".

Mark Williams
Senior Budgeting Analyst

Enclosure



Division of Criminal Justice Services

ANDREW M. CUOMO
Governor

MICHAEL C. GREEN
Executive Deputy Commissioner

BRAD STEVENS
Director of Finance

August 28, 2020

John Dearman
Carmel Town Police Department
60 McAlpin Avenue
Mahopac, NY 10541

Dear Mr. Dearman:

The New York State Division of Criminal Justice Services, hereinafter called "DCJS", at Alfred E. Smith Office Building, 80 South Swan St, Albany, New York and Carmel Town Police Department, hereinafter called "User", at 60 McAlpin Avenue, Mahopac, NY 10541 agree to establish, maintain and debit a Fingerprint Escrow Account, hereinafter called "Account", for the payment of certain services. Both of the foregoing are collectively referred to as the "Parties".

Pursuant to Executive Law §837(8-a), DCJS shall charge a fee when it conducts a fingerprint-based search of its criminal history records and returns a report thereon in connection with applications for employment, licenses or permits. DCJS has adopted a rule, which has the force and effect of law, governing access to criminal history record information and fees for conducting criminal history record searches, specifically 9 NYCRR Part 6051. This rule establishes fees for conducting a fingerprint-based search of DCJS' criminal history records and returning a report thereon, which require that payment for such services shall be made by electronic transfer of funds, postal money order, Western Union, Integrated Payment Systems, bank, American Express, or Travelers Express money orders, corporate check, or governmental check, unless otherwise provided by agreement. Arrangements for electronic payments may be initiated by User. The foregoing payment methods are collectively referred to as "Authorized Instrument."

When User electronically submits fingerprints using Livescan or Cardscan, DCJS will conduct a search of the criminal history records maintained by it. User must agree to establish an Account so that payment may be made in a manner other than by individual payment. DCJS agrees to permit payment in a manner other than by individual payment under the following terms and conditions:

Payment for services shall be made by electronic transfer of funds; postal money order; Western Union, Integrated Payment Systems, bank, American Express, or Travelers Express money orders; corporate check; or governmental check, unless otherwise provided by agreement. Bank money orders must be issued by a bank chartered in the United States, must be payable in U.S. funds, and must be valid for at least 90 days from the date of issuance. A \$25 service charge may be imposed for all checks that are returned due to insufficient funds. The Commissioner of DCJS, or his or her designee, may refuse to accept a certain form of payment if, on prior requests, that form of payment has been uncollectible. Electronic transfers are the preferred method of payment. To make arrangement for electronic payment, please contact Mark Williams at mark.williams@dcjs.ny.gov. Other remittances shall be made payable to DCJS and directed to the *NYS Division of Criminal Justice Services, Attn: Office of Financial Services, Alfred E. Smith Office Building-10th Floor, 80 South Swan St, Albany, NY 12210.*

A. User's Duties

1. User agrees to make an initial deposit, termed **Required Deposit Amount**, based on a user's estimate of the number of prints to be submitted on a monthly basis via Livescan or CardScan multiplied by the required fee. Authorized Instrument shall be made payable to the order of the "New York State Division of Criminal Justice Services", which will be placed into the Account. **The User agrees that, based on actual and/or projected submissions and time periods for replenishing the Account, the Required Deposit Amount may be adjusted by DCJS and User will provide such amount.**
2. User agrees to replenish the funds in the Account to the level of the Required Deposit Amount each time it submits prints to DCJS. Such replenishment shall be by Authorized Instrument payable to the order of the "New York State Division of Criminal Justice Services".
3. User authorizes DCJS to debit the Account in the amount set forth in 9 NYCRR Part 6051 of DCJS' rule for each fingerprint submitted for a fingerprint-based search of DCJS' criminal history records.
4. User agrees that DCJS shall not process submitted fingerprints if the Account balance is insufficient to cover the required fee.
5. User agrees to provide the Office of Financial Services at DCJS with written notification regarding a change of address or change in the User's name.

B. DCJS' Duties

1. DCJS agrees to place the funds received pursuant to this Letter of Agreement in a non-interest bearing account within the State Treasury of the State of New York.
2. DCJS reserves the right to adjust the Required Deposit Amount to be maintained in the Account based on the actual and/or projected usage of the Account by the User.
3. DCJS agrees to provide User, on a periodic basis, with a statement indicating account activity.
4. DCJS agrees to provide User access to our eJusticeNY Integrated Justice Portal to monitor their Account balances and fingerprint reports.
5. If a fingerprint transaction, submitted electronically to DCJS via Livescan or Cardscan, is rejected, DCJS will return an electronic rejection including the rejection reason to the User. In all cases, DCJS will retain the original payment and apply it to the processing of the resubmitted fingerprint.
6. DCJS agrees it will provide User with a unique authorization code. Use of such code by User shall provide the necessary authorization for DCJS to debit the Account.

C. Terms and Cancellation

1. This Letter of Agreement shall continue until terminated by either DCJS or User.
2. This Letter of Agreement may be terminated by either party by serving a written notice of termination thirty (30) calendar days in advance of such cancellation. In the event of termination, the User shall not submit additional fingerprints to be charged against the Account after the effective date of the termination. DCJS shall provide a final accounting and request a refund be issued by the Office of the State Comptroller for the balance in the Account within thirty (30) calendar days after the termination.
3. This Letter of Agreement may be immediately terminated by DCJS if the User engages in any misuse of authority, misrepresentation or conduct that may be deemed detrimental to the State of New York.

D. Miscellaneous

1. This Letter of Agreement sets forth the entire understanding of the Parties with respect to the Account to be established hereunder and may not be altered or amended except in writing signed by the Parties hereto.

By execution of this Letter of Agreement by an authorized signatory to enter into contractual agreements, with proper notarization, both Parties have accepted the terms and conditions of this Letter of Agreement, including, but not limited to, the above conditions for the Account.

Please indicate acceptance of this Letter of Agreement by having an authorized signatory execute the Letter of Agreement with notary acknowledgment and return the original to the attention of Mr. Mark Williams, Alfred E. Smith Office Building - Finance 10th Floor, 80 South Swan Street, Albany, NY 12210. Your authorization code will be forwarded to you upon receipt.

Very truly yours,



Brad Stevens
Director of Financial Administration

User Acceptance of Letter of Agreement:

BY: _____

TITLE: _____

ENTITY: _____

DATE: _____

FEDERAL ID#: _____

ACKNOWLEDGMENT CLAUSE

State of _____)

)ss.:

County of _____)

On the _____ day of _____ in the year _____ before me personally appeared _____ to me known, who, being by me duly sworn, depose and say that she/he is the _____ of the _____, the entity which executed the above instrument; that she/he was authorized by and did execute the same at the direction of said entity and that she/he signed her/his name thereto.

Notary Public

USER INFORMATION*

Business Entity: _____

Primary Contact: _____

Telephone Number: () _____

Fax Number: () _____

Email address: _____

2nd Contact: _____

Telephone Number: () _____

Email address: _____

***Please Promptly Submit Updated User Forms as Changes Occur**



MAHOPAC VOLUNTEER FIRE DEPARTMENT



Chief
Bill Nikisher

First Assistant Chief
Jason Kinash

Second Assistant Chief
Andrew Roberto

Post Office Box 267
Mahopac, NY 10541

Fire Headquarters
741 Route Six

Emergency Dial 911

Phone: (845) 628-3160
chief@mahopacvfd.com
Fax: (845)628-2174

Carmel Town Clerk
60 McAlpin Ave
Mahopac, NY 10541

The Mahopac Volunteer Fire Department has removed the following person(s) to our rolls. We would respectfully request for you to remove the following:

Sean Mullins
Cameron Rice
Michell Tenempaguay

Respectfully submitted

Brian Lena
Correspondence Secretary
Mahopac Volunteer Fire Department.

